

Message Text

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20

ACTION EA-14

INFO OCT-01 EUR-25 ADP-00 IO-13 CIAE-00 DODE-00 PM-07 H-02

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 DPW-01 RSR-01 OMB-01 /120 W
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P R 270717 Z JUN 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC PRIORITY 3766

INFO USDEL JEC PARIS

AMEMBASSY BUDAPEST

AMEMBASSY JAKARTA

AMEMBASSY OTTAWA

AMEMBASSY WARSAW

CDR USSAG NKP RTAFB

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E. O. 11652: GDS

TAGS: PFOR PINT PINS VS

SUBJECT: TPJMC COMMITMENTS TO THE ICCS

1. COL. DUONG HIEU NGHIA, GVN CHIEF OF THE MILITARY AFFAIRS SUB- COMMITTEE, TWO PARTY JOINT MILITARY COMMISSION (TPJMC), TOLD EMBOFF MORNING OF JUNE 26 THAT GVNDEL PLANNED TO SUBMIT A DRAFT PAPER OUTLINING THE COMMITMENTS OF THE TPJMC TOWARD THE ICCS DURING THE MEETING OF THE DELEGATION CHIEFS ON JUNE 26.

2. THE DRAFT PAPER CONTAINS SIX ARTICLES OUTLINING TPJMC COMMITMENTS. THESE ARE AS FOLLOW:

A. PERSONNEL OF THE ICCS HAVE THE RIGHT TO GO ANYWHERE AND ANYTIME THROUGHOUT SOUTH VIETNAM WITHOUT PRIOR NOTICE TO ANY AGENCY OR ANY AUTHORITY OF THE TWO SOUTH VIETNAMESE PARTIES.

B. MEANS OF TRANSPORTATION OF THE ICCS BEARING THE SIGN OF THE COMMISSION DO NOT HAVE TO STRICTLY FOLLOW ANY AIRWAY, CORRIDOR, ALTITUDE OR ROUTE.

C. PERSONNEL OF THE ICCS WILL ENJOY ALL PRIVILEGES AND

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IMMUNITIES AND ITS SAFETY MUST BE FULLY ENSURED BY THE TWO SOUTH VIETNAMESE PARTIES IN ALL CIRCUMSTANCES AND ANYWHERE.

D. IN CASE PERSONNEL OF THE ICCS MEET WITH ACCIDENTS, WHILE TRAVELING IN AREA UNDER ONE PARTY'S CONTROL, THAT PARTY SHALL CARRY OUT TIMELY RESCUE OPERATION WITH ALL FACILITIES AT ITS DISPOSITION. THE CONCERNED PARTY SHALL RESERVE ALL FACILITIES TO AND SHALL NOT POSE ANY CONDITION TO THE RESCUE MEASURES AND MEANS OF THE ICCS.

E. IN ALL INVESTIGATION OF VIOLATIONS, THE TWO PARTIES SHALL IN DUE TIME ASSIGN LIAISON OFFICERS TO ACCOMPANY THE INVESTIGATION TEAMS OF THE ICCS AND SHALL IN NO WAYS TO REFUSE TO DO SO.

F. WHEN THE ICCS IS LOCATED IN THE AREA OF CONTROL OF ONE PARTY, THAT PARTY SHALL FULLY PROVIDE OFFICERS, PREMISES, APPROPRIATE FACILITIES, COMMUNICATION AND TRANSPORTATION MEANS AND ALL NECESSARY EQUIPMENT TO THE ICCS, AS STIPULATED IN ARTICLES 13 AND 14 OF THE PROTOCOL CONCERNING THE ICCS.

3. COLONEL NGHIA ADMITTED THAT THE PRGDEL WAS LIKELY TO BALK ON SOME OF THESE POINTS, PARTICULARLY THE SECOND ONE. HE FELT THEY WERE VERY IMPORTANT, HOWEVER, AS OTHER KEY PROVISIONS OF BOTH THE ORIGINAL CEASEFIRE AGREEMENT AND THE JOINT COMMUNIQUE, SUCH AS THE RELEASE OF PRISONERS AND THE OPERATION OF POINTS OF ENTRY, DEPENDED UPON THE ICCS BECOMING AN EFFECTIVE CONTROL BODY AND THAT THIS COULD ONLY BE ACCOMPLISHED WITH THE FULL COOPERATION OF BOTH SOUTH VIETNAMESE PARTIES. NGHIA DID NOT FORESEE RAPID ACTION ON THE GVNDEL DRAFT.

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